

## REMARKS

Reconsideration and allowance of the captioned application in view of the foregoing amendments and the remarks that follow is respectfully requested. These comments are intended to advance the case to issue without delay. The claims in the application were 1-21. By this amendment, claim 27 has been added. Accordingly, the claims now in the application are claims 1-21 and 27.

Applicants have amended claim 1 to more clearly distinguish them over the known prior art. Support for this amendment may be found in the specification at page 8, line 31 to page 9, line 3.

New claim 27 has been added. Support may be found in the specification at page 5, lines 10-26.

The abstract of the disclosure has been objected to because the abstract contains claim limitation language. Applicants have amended the abstract to remove the claim limitation language. Accordingly, it is respectfully requested that the objection to the abstract of the disclosure be withdrawn.

Claims 1-21 have been rejected under 35 USC §103(a) as being unpatentable over Kraskin (US 4,356,190). Applicants traverse this rejection.

Applicants acknowledge that Kraskin discloses aqueous solutions of EDTA, however, Kraskin does not disclose nor render obvious compositions in which the carrier fluid comprises a mixture of C<sub>1</sub> to C<sub>4</sub> monohydric alcohol and a solubility promoter such as water as is claimed in the present application as elected. Moreover, Kraskin does not disclose nor render obvious mixed carrier fluid systems of this kind when the alcohol is present at high levels. More specifically, Kraskin does not disclose nor render obvious mixed carrier fluid systems of this kind when the alcohol is present

at greater than 50% by weight of the total composition (excluding any volatile propellant present). The range of stable, homogeneous compositions that can be prepared using this special carrier fluid is illustrated throughout the application by the numerous examples on pages 24 to 46. It is asserted that such compositions comprising greater than 50% by weight of alcohol are not rendered obvious by Kraskin's "aqueous" compositions. This is evident for instance by reference to the examples in Kraskin which have an alcohol level of less than 10%. Equally, Kraskin's mention of alcohols as one of several possible additives/diluents does not make obvious the claims of the present application, where the alcohol is present as the major component of a system also comprising a solubility promoter such as water.

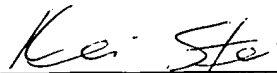
Consequently, withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attachment is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,



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## VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Abstract:

An anti-microbial composition comprising:

- (iv) a C<sub>1</sub> to C<sub>4</sub> monohydric alcohol carrier fluid, present at a level of at least ~~25~~50% by weight of the total composition (excluding any volatile propellant present);
- (v) an iron (III) chelator having an iron (III) binding constant of 10<sup>23</sup> or greater;  
and
- (vi) a solubility promoter such as water ~~selected from the group consisting of:~~
  - ~~(a) water;~~
  - ~~(b) an organic amine;~~
  - ~~(c) a polyhydric alcohol or derivative thereof;~~
  - ~~(d) a volatile propellant having fluorine carbon or oxygen carbon bonds~~
  - ~~(e) any combination of (a) to (d)~~

The transitional metal chelator serves as an active anti-microbial, whilst the carrier fluid-solubility promoter mixture enables the formation of a stable composition. Preferred compositions are homogeneous solutions.

In the claims:

Claim 1 has been amended as follows:

1. (Amended) An anti-microbial composition comprising:

- (iv) a C<sub>1</sub> to C<sub>4</sub> monohydric alcohol carrier fluid, present at a level of at least ~~25~~50% by weight of the total composition (excluding any volatile propellant present);
- (v) an iron (III) chelator having an iron (III) binding constant of 10<sup>23</sup> or greater;
- (vi) a solubility promoter selected from the group consisting of
  - (a) water;
  - (b) an organic amine;
  - (c) a polyhydric alcohol or derivative thereof;
  - (d) a volatile propellant having fluorine-carbon or oxygen-carbon bonds;
  - (e) any combination of (a) to (d)

New claim 27 has been added.